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FISCAL IMPACT STATEMENT

LS 7429

BILL NUMBER: SB 1

NOTE PREPARED: Apr 12, 2013

BILL AMENDED: Apr 11, 2013

SUBJECT: School Resource Officers.

FIRST AUTHOR: Sen. Miller Pete

FIRST SPONSOR: Rep. Torr

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill specifies how a school resource officer program may be established and sets forth duties and responsibilities for school resource officers. It provides that a person, before being appointed as a school resource officer, must successfully complete the training requirements for law enforcement officers and receive 40 hours of certified school resource officer training.

The bill establishes the Indiana Secured School Fund under the administration of the Department of Homeland Security to provide matching grants to enable school corporations and charter schools to establish programs to:

1. Employ school resource officers;
2. Conduct threat assessments of school buildings; or
3. Purchase safety equipment and technology.

The bill creates the Secured School Safety Board to approve or disapprove applications for matching grants from the fund and to develop best practices for school resource officers. It provides that a matching grant from the Indiana Secured School Fund may not exceed the following:

1. \$50,000 per year, in the case of a school corporation or charter school that has an ADM of at least 1,000 and is not applying jointly.
2. \$35,000 per year, in the case of a school corporation or charter school that has an ADM of less than 1,000 and is not applying jointly.
3. \$50,000 per year, in the case of a coalition of schools applying jointly.

The bill provides that the Secured School Safety Board shall study and make findings concerning safety measures that are necessary to authorize one or more school employees at each public school in Indiana to possess a firearm on school property. It provides that, before December 1, 2013, the Secured School Safety Board must submit a report to the General Assembly.

The bill eliminates the authority to use money in the Safe Schools Fund for certain purposes.

The bill provides that a school corporation or charter school may disclose student information and records to a school resource officer, law enforcement agency, or an official of the juvenile justice system without prior consent under the Family Education Rights and Privacy Act.

The bill requires a law enforcement agency to notify a school if a student is apprehended because of a mental illness.

The bill requires a law enforcement agency to include training to law enforcement officers pertaining to school notification requirements.

The bill provides that for purposes of resisting law enforcement and disarming a law enforcement officer, a law enforcement officer includes a school resource officer and a school corporation police officer.

Effective Date: (Amended) Upon passage; July 1, 2013.

Explanation of State Expenditures: *Grant Program:* The impact of the bill would depend on appropriations by the General Assembly and the number of school corporations and charter schools, or coalitions of schools, that are awarded grants. There are about 365 school corporations and charter schools. There are about 122 school corporations and charter schools with less than 1,000 students. The maximum impact of the grant program would be about \$16.4 M if each school corporation and charter school individually applied for a grant.

Secured School Fund and Secured School Safety Board: The bill creates the Indiana Secured School Fund. The fund consists of appropriations by the General Assembly, grants from the Safe School Fund, federal grants, and amounts from private or public sources. The nonreverting fund is to be administered by the Department of Homeland Security and expenses of administering the fund are to be paid from money in the fund. Grants from the fund would be awarded by the Secured School Safety Board, which consists of the following 13 members:

1. The Executive Directory of the Department of Homeland Security or designee.
2. The Attorney General or designee.
3. The Superintendent of the State Police Department or designee .
4. A local law enforcement officer appointed by the Governor.
5. The State Superintendent of Public Instruction or designee.
6. The Director of the Criminal Justice Institute or designee.
7. An employee of a local school corporation or charter school appointed by the Governor.
8. An adolescent development expert or pediatrician appointed by the Governor.
9. A mental health professional appointed by the Governor.
10. A member of the Senate appointed by the President Pro Tempore of the Senate.
11. A member of the Senate appointed by the Minority Leader of the Senate.
12. A member of the House of Representatives appointed by the Speaker of the House of Representatives.

13. A member of the House of Representatives appointed by the Minority Leader of the House of Representatives

The bill provides that the Safe School Fund could also be used to promote school safety through the use of dogs trained to detect illegal substances and to purchase other equipment and materials used to enhance school safety.

(Revised) Study of School Safety Measures: The bill requires the Secured School Safety Board to study and make findings concerning safety measures that are necessary to authorize one or more school employees at each public school in Indiana to possess a firearm on school property. The board is to submit the report to the General Assembly by December 1, 2013.

School Resource Officers- School resource officers without prior law enforcement training would have to complete the 15-week basic training course at the Indiana Law Enforcement Academy (ILEA) and pass 40 additional hours of school resource officer training via either the ILEA, the National Association of School Resource Officers, or another organization that offers certified instruction to school resource officers.

The impact of this provision on state expenditures would depend on the number of persons that may apply at the ILEA for the basic course, which is unknown.

Indemnification: The bill requires the state to indemnify public schools for liabilities resulting from the use or misuse of a school resource officer's weapon. It is unknown how much this liability might be.

Background: The average salary of a school resource officer is about \$50,000 annually. The cost of basic training for a law enforcement officer is about \$7,500 for 15 weeks of training. The state provides the training to local departments at no cost.

Additional training may be needed for a law enforcement officer to be a school resource officer. According to the National Association of school Resource Officers, the cost of 40 hours of school officer resource training is about \$495.

Including a school resources officer and a school corporation police officer in the law about resisting law enforcement and disarming a law enforcement officer should have minor impact.

Explanation of State Revenues:

Explanation of Local Expenditures *Local Law Enforcement Training-* The bill would require local law enforcement agencies to include training concerning the notification requirements of when a child is taken into custody for committing a crime or for need of hospitalization (due to apparent mental illness, presents a danger, and in need of treatment). Law enforcement agencies should be able to accomplish this provision within standard use of in-service training, either with an instructor/consultant or training video. Local expenditures could increase if payment is required for the training methods.

Explanation of Local Revenues:

State Agencies Affected: Attorney General; Criminal Justice Institute; State Budget Committee; Department of Homeland Security.

Local Agencies Affected: Local schools, local law enforcement agencies.

Information Sources: National Association of school Resource Officers website,
<http://www.nasro.org/class-training> .

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